



DELAWARE COUNTY REGIONAL WATER QUALITY CONTROL AUTHORITY
100 East Fifth Street • Chester, Pa. 19013 • (215) 656-5523

December 24, 1975

Dr. Maurice K. Goddard, Secretary
Department of Environmental Resources
Evangelical Press Building
Room 202 - 3rd & Riley Streets
Harrisburg, Pennsylvania 17105

Re: Delcra - City of Philadelphia Project for Discharge
of Wastewater from Eastern Delaware County into the
Philadelphia Southwest Treatment Plant

Dear Dr. Goddard:

I am addressing this matter, as detailed below, to your personal attention because of the serious consequences involved as a result of recent action by the City of Philadelphia and the urgent need for immediate action by all governmental agencies involved in order to forestall any such consequences.

This Authority has received from Carmen F. Guarino, Commissioner of the City of Philadelphia Water Department a letter dated December 19, 1975, a copy of which is enclosed. Said letter was accompanied by a letter addressed by Mr. Guarino to Mr. Wesley Gilbertson, Deputy Secretary of your department, a copy of which is also enclosed. In essence, these letters constitute an indication by the City of Philadelphia Water Department that it will not meet its legal obligations under the agreement between this Authority and the City of Philadelphia dated March 15, 1974.

As you are well aware, in May of 1972 your department issued an order to this Authority and the City of Philadelphia directing said parties to negotiate an agreement pursuant to which all wastewater emanating from the Eastern Delaware County Service Area of this Authority would be conveyed to the City of Philadelphia's Southwest Treatment Plant for treatment. After many months of negotiation and pursuant to said order, Delcra and the City entered into an agreement dated March 15, 1974. This agreement provides for Delcra to initially construct a conveyance system consisting of a pump station, located at the existing Darby Creek Joint Authority Treatment Plant in Darby Township, and a force main from the pump station to the City of Philadelphia's said Southwest Treatment Plant. Upon completion of the said pump station and force main, the City agreed to accept 15.5 million gallons per day (MGD) for treatment at the Southwest Plant. The agreement also provides for the City to include 50 MGD of capacity in its expansion and

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upgrading of the Southwest Treatment Plant, for which Delcora agrees to pay the City its proportionate share in cash. During the expansion and upgrading of the Philadelphia Southwest Plant, Delcora is to construct two additional pump stations and a force main from the Central Delaware County Authority Plant in Ridley Township to the Darby Creek Joint Authority Plant, aforesaid, so that ultimately, when the City expansion is completed, all wastewater emanating in Eastern Delaware County will be conveyed to the City of Philadelphia and the existing Central Delaware County Authority, Radnor-Haverford-Marple Sewer Authority, Muckinipates Authority and Darby Creek Joint Authority Treatment Plants will be phased out. In fact, the Radnor-Haverford-Marple Sewer Authority Plant will be phased out when the Darby Creek Bypass goes into operation.

Pursuant to this agreement and the order of your department, this Authority proceeded with the design and construction of the Darby Creek Bypass System. The gross cost of the first phase of the project, including the Darby Creek Pump Station and Force Main and the sum of \$2,000,000 to be paid the City of Philadelphia as contribution towards our share of the existing plant is \$11,610,475. Of this, \$6,450,000 is covered by a Federal Grant previously issued to this Authority. The balance of the project in the amount of \$4,950,000 is being financed by bonds issued by this Authority in May of 1974. This Authority also has proceeded with plans for the balance of the conveyance system and is prepared to issue bonds early in 1977 to cover the cost of that portion of the project as well as our share of the Philadelphia expansion which will amount to around \$10,000,000.

At the present time, the Darby Creek Pump Station is 99% complete and expected to be operational shortly after January 1, 1976. The force main is completed, except for a short section of tunneling under Essington Avenue, which presently is in process and expected to be completed early in January, 1976. According to our current estimates the system should be operational on or about February 1, 1976 at which time Delcora expects to begin sending wastewater to Philadelphia Southwest under the terms of the agreement. Naturally, we cannot begin conveying wastewater to Philadelphia unless the City is willing to honor its legally binding agreement and accept the wastewater.

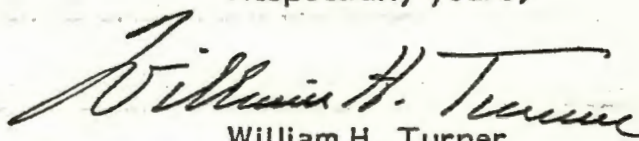
It is absolutely mandatory that we be able to put this system in operation at the time noted above. If we cannot do so, the situation will be chaotic. The Darby Creek Joint Authority will be unable to comply with the terms and conditions of its NPDES Permit. The Radnor-Haverford-Marple Sewer Authority will be unable to comply with the terms of its NPDES Permit. Delcora will be in default under agreements entered into by it with the three existing Authorities in Eastern Delaware County and twenty-one (21) municipalities in that area. Said Authorities and municipalities might be justified in asserting the right not to pay Delcora monies due under said service agreements since they are not receiving service. Failure to receive said monies would prevent Delcora from meeting its obligations under its Bond Issue and could result in a default by Delcora under said issue. Since said Bond Issue is a single issue covering other projects, including the massive project in Western Delaware County, the entire Delcora system could be jeopardized.

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Worst of all, we will have a system standing idle for which the citizens of the entire nation have contributed six and one-half million dollars and for which the citizens of Eastern Delaware County presently are contributing over \$360,000 of their hard earned dollars to meet the annual debt service requirements under our Bond Issue.

I am certain that upon review of the foregoing you will be well aware of the seriousness of this situation and the need for immediate action. Since the system will be operational early in January, the matter must be resolved within the next few weeks. We believe that this necessitates a conference at the earliest date possible of representatives of all governmental agencies involved. Representatives participating in such meeting must have sufficient stature to resolve the question without delay. Under the circumstances, we respectfully request that you immediately fix a date for such meeting, at your earliest convenience and at such place as you determine appropriate and arrange for all necessary parties to attend. By copies of this letter, we are requesting the complete cooperation of the U. S. Environmental Protection Agency, the Delaware River Basin Commission, the Delaware Valley Regional Planning Commission and the City of Philadelphia. I hold myself in readiness to assist you in anyway possible.

Respectfully yours,


William H. Turner
Executive Director

WHT:mlr

cc: Mr. Daniel J. Snyder, III

Mr. James F. Wright

Mr. Walter K. Johnson

Mr. George Varvoutis

Mr. Harry A. McNichol

Mayor Frank L. Rizzo

Mr. Carmen F. Guarino

Mr. Wesley Gilbertson

Mr. Walter A. Lyon

Mr. C. T. Beechwood

Mr. Charles Carr

Mr. Jack Guthrie

Robert V. Micocci, D.D.S.

Mr. John O'Malley

Mr. Joseph L. Salvucci

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Mr. Robert F. Preston